

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI**

RHONDA BURNETT, JEROD BREIT,
HOLLEE ELLIS, FRANCES HARVEY,
and JEREMY KEEL, on behalf of themselves
and all others similarly situated,

Plaintiffs

v.

THE NATIONAL ASSOCIATION OF
REALTORS, REALOGY HOLDINGS CORP.,
n/k/a ANYWHERE REAL ESTATE, INC.,
HOMESERVICES OF AMERICAN, INC., BHH
AFFILIATES, LLC, HSF AFFILIATES, LLC,
RE/MAX LLC, and KELLER WILLIAMS
REALTY, INC.,

Defendants.

Case No. 4:19-cv-00332-SRB

**EXHIBIT INDEX TO (1) PLAINTIFFS' COMBINED SUGGESTIONS IN
OPPOSITION TO DEFENDANTS' MOTION FOR NEW TRIAL AND
(2) PLAINTIFFS' COMBINED SUGGESTIONS IN OPPOSITION TO
DEFENDANTS' MOTIONS FOR JUDGMENT AS A MATTER OF LAW**

Exhibit	Description
A	<i>Leeder v. Nat'l Ass'n of Realtors</i> , No. 21-cv-00430, 2022 WL 1307100 (N.D. Ill. May 2, 2022)
136	2015 Handbook on Multiple Listing Policy
234	D.A.N.G.E.R. Report
235	D.A.N.G.E.R. Report [Draft] [NARSITZER0000051326 - 51500]
360	12/31/2021 MLS Clear Cooperation Policy [from NAR Website]
459	9/21/2011 - 10/10/2011 Email chain re: Mega Camp Follow Up... [KWRI_00595618]
479	Native PPT: Video and the Millionaire Real Estate Agent [KWRI_00186777]
503	2004 MREA Scripts Catalog: Working with Sellers (A Resource for the Millionaire Real Estate Agent) [KWRI_00564889 - 565296]
601	Proposal to the Professional Standards Committee of the National Association of Realtors [NARSITZER0000057906 - 57911]
607	2/2/2012 - 2/8/2012 Email chain re: Information [NARSITZER0000058005 - 58009]

626	Excerpts from 4/1/2020 Keller Williams United States and Canada Policies & Guidelines Manual [KWRI_00466314, 466368 - 466369]
654A	OneNotes notes of Michelle Figgs [KWRI_00729074, 729077]
660A	4/30/2015 Email re: journal article
675	2019 Article: The MLS Path Forward [HSOA-MOe-0000003527 – 3559]
679	11/7/2019 Email re: HomeServices Votes Yes on rule 8.0 [HSOA-MOe-0000026238 – 26239]
684	7/28/2019 - 7/29/2019 Email re: Los Altos Weekly, Q3/Q4 planning prep and financials [HSOA-MOe-0000062408 – 62415]
692	4/16/2009 Letter from Ron Peltier to NAR Multiple Listing Issues and Policies Committee (Attention: John Smaby, Chair) re: New Model Rules - MLS Section 6.1: Offers of Compensation and Short Sales [HSOA-MOe-0000238620]
710	11/7/2019 Email re: HomeServices Votes Yes on rule 8.0 [HSOA-MOe-0000026238 – 26239]
1634	2018 PPT: Get Your Full Commission [KWRI_00030257]
1646	5/24/2018 Email re: win with sellers [KWRI_00315503 – 315677]
1689A	Exclusive Sale and Listing Agreement (Redline) [NWMLS000001]
1709	2022 Handbook on Multiple Listing Policy
1724	2/5/2019 - 2/6/2019 Email re: SmartMLS - Mandatory Listing Policy [NARSITZER0000780041 – 780042]
2054	Berkshire Hathaway HomeServices Alliance Real Estate: Be...Prepared. Supported. Successful [BHHSALLIANCE-MO 0000021 – 53]
2201	1/29/2016 Settlement Statement for 3630 Holmes Street (Burnett) [SITZER 0000000247 – 250]
2212	3/3/2017 Settlement Statement for 3835 French Court (Breit) [SITZER 0000002764 – 2765]
2527A	Table 9a – Summary of Total Damages Subject MLS Class
2868C	Screenshot: Vision 2022 Commission Study – Average Buyer
2869C	Screenshot: Vision 2023 Commission Study – Average Buyer
2876A	Photograph: 2022 Family Reunion Audience
2880	Deposition designation playable transcript: 3/4/2022 deposition of Rene Galicia
2881	Deposition designation playable transcript: 8/3/2022 deposition of Rodney Gansho
2885	Deposition designation playable transcript: 1/19/2022 deposition of Gary Keller
2889	Deposition designation playable transcript: 1/26/2022 deposition of Cliff Niersbach
2897	Deposition designation playable transcript: 10/19/2022 deposition of Rosalie Warner
2900	Deposition designation playable transcript: 2/8/2022 deposition of Gino Blefari
2902	Deposition designation playable transcript: 2/4/2022 deposition of Michelle Figgs
2904	Rule 1006 Summary: Kansas City Area MLS Buyer Commission Percentages
2905	Rule 1006 Summary: Southern Missouri MLS Buyer Commission Percentages
2906	Rule 1006 Summary: Columbia Area MLS Buyer Commission Percentages

2907	Rule 1006 Summary: St. Louis Area MLS Buyer Commission Percentages
2908	Rule 1006 Summary: Subject MLSs Buyer Commission Percentages
2922	12/15/2021 ReeceNicols Affiliated Business Arrangement Disclosure Statement
3533	3/1992 NAR Report of the Presidential Advisory Group [NARSITZER0000005797 – 5874]
4509	Berkshire Hathaway HomeServices Franchise Agreement [BHH-MO-0003130 – 3199]
4511	2014 Berkshire Hathaway HomeServices Alliance Real Estate Operations Manual, Sales Associate Policies & Procedures [BHHSALLIANCE-MO 0000089 – 209]
4512	1/8/2020 Berkshire Hathaway HomeServices Alliance Real Estate Sales Associate Policy & Procedures Manual [BHHSALLIANCE-MO 0000210 – 306]
4513	Berkshire Hathaway HomeServices Alliance Real Estate Re Accelerate Listing Paperwork [BHHSALLIANCE-MO 0000365 – 421]
4561	Deposition designation playable transcript: 10/05/2023 deposition of Kevin Goffstein
4592A	Table 9 from the Schulman report
4602	5/20/2020 Calendar entry re: MLS Standards Work Group – Group Exercise Call #1 [NARSITZER0000795773 – 795774]
4613A	1/25/2019 REBNY RLS Universal Co-Brokerage Agreement Rules & Regulations

Dated: March 15, 2024

Respectfully submitted by:

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/s/ Jeremy M. Suhr

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CERTIFICATE OF SERVICE

I hereby certify that on this 15th day of March 2024, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will send a notice of electronic filing to counsel of record for this case.

/s/ Jeremy M. Suhr
Attorney for Plaintiffs